

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JEFFREY M. DANIELS, ) Case No. CV 09-9253 PA(JC)

V.

S. OLMEDA, et al.,

## Defendants.

Case No. CV 09-9253 PA(JC)

ORDER (1) GRANTING PLAINTIFF'S  
MOTION FOR VOLUNTARY  
DISMISSAL; AND (2) DISMISSING  
(2) ACTION WITHOUT PREJUDICE

On September 17, 2010, plaintiff Jeffrey M. Daniels (“Plaintiff”), who is proceeding pro se and has been granted leave to proceed in forma pauperis, filed a Civil Rights Complaint (“Complaint”) against defendants S. Olmeda and E. Jordan. Defendants have not yet been served in this case and thus, have not filed an answer or motion for summary judgment. On May 9, 2011, plaintiff filed “Plaintiff’s Withdrawal of Case No. CV 09-09253 PA(JC)” (“Plaintiff’s Motion”) in which plaintiff indicates that he wishes to withdraw the Complaint and this case. The Court construes Plaintiff’s Motion as a Motion for Voluntary Dismissal without Prejudice pursuant to Fed. R. Civ. P. 41(a)(1).

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1 IT IS HEREBY ORDERED:

2 1. Plaintiff's Motion is granted.

3 2. Pursuant to Fed. R. Civ. P. 41(a)(1), this action is dismissed without  
4 prejudice.

5 LET JUDGMENT BE ENTERED ACCORDINGLY

6 IT IS SO ORDERED this 11th day of May, 2011



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9 HONORABLE PERCY ANDERSON  
10 UNITED STATES DISTRICT JUDGE

11 Presented by:

12 \_\_\_\_\_ /s/

13 Honorable Jacqueline Chooljian  
14 United States Magistrate Judge

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